

SENATE BILL 130
EMERGENCY BILL

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2003 Regular Session
3r0903
CF 3r0904

By: **Senator McFadden**

Introduced and read first time: January 24, 2003

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland African American Museum Corporation - Board of Directors -**
3 **New Members**

4 FOR the purpose of altering the number of members of the Maryland African
5 American Museum Corporation Board of Directors; establishing certain criteria
6 for a quorum at board meetings; providing for certain terms; making this Act an
7 emergency measure; and generally relating to new members of the Maryland
8 African American Museum Corporation Board of Directors.

9 BY repealing and reenacting, with amendments,
10 Article 41 - Governor - Executive and Administrative Departments
11 Section 20-102(c) and (d)
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 2002 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 41 - Governor - Executive and Administrative Departments**

17 20-102.

18 (c) (1) The Board of Directors of the Corporation shall manage the affairs of
19 the Corporation and shall exercise all of its corporate powers.

20 (2) The Board of Directors shall consist of [32] 37 members, as follows:

21 (i) The Mayor of Baltimore or the Mayor's designee serving ex
22 officio;

23 (ii) One representative of Morgan State University, approved by the
24 Board of Regents of the University and appointed by the Governor;

25 (iii) The Chairman of the Commission on African American History
26 and Culture or the Chairman's designee, and two other Commission members
27 approved by the Commission, all appointed by the Governor, in order to provide

1 continuing coordination and cooperation between the Corporation and the
2 Commission and to assure consistency with the statewide programs and mandates of
3 the Commission;

4 (iv) Four representatives of African American historical or cultural
5 institutions in the State, appointed by the Governor; and

6 (v) [Twenty-three] TWENTY-EIGHT members, appointed by the
7 Governor, who have expertise in African American history, culture, museums, or
8 related areas, have expertise in fund raising, or represent the diversity of
9 communities throughout the State that can benefit from the activities of the
10 Corporation.

11 (3) The members appointed to the Board shall represent the geographic
12 makeup of the State, and shall be racially and ethnically diverse.

13 (4) The members of the Board shall serve without compensation.

14 (5) The term of a member of the Board, excluding the ex officio member,
15 is 4 years.

16 (6) Before taking office, each appointee to the Board shall take the oath
17 required by Article I, § 9 of the Maryland Constitution.

18 (7) The terms of members are staggered AS REQUIRED BY THE TERMS
19 PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 1998 AND, IN 2003, THE DATE ON
20 WHICH THE INCREASE IN THE MEMBERSHIP OF THE BOARD FROM 32 TO 37 MEMBERS
21 TAKES EFFECT.

22 (8) At the end of a term, a member continues to serve until a successor is
23 appointed and qualifies.

24 (9) A member who is appointed after a term has begun serves only for
25 the remainder of the term and until a successor is appointed and qualifies.

26 (d) (1) The Board shall elect one of its members as chairman, one as vice
27 chairman, and one as treasurer.

28 (2) [Seventeen members of the Board constitute a quorum, but action
29 may not be taken by less than the vote of nine members] A MAJORITY OF THE
30 MEMBERS OF THE BOARD THEN SERVING CONSTITUTE A QUORUM.

31 (3) A vacancy in the membership of the Board of Directors does not
32 impair the right of a quorum of the Board of Directors to exercise all rights and
33 perform all the duties of the Corporation.

34 (4) The Board shall appoint an executive committee and may appoint
35 such other committees as the Board deems necessary or desirable.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
2 individuals initially serving on the Board of Directors in new positions established by
3 this Act shall expire as follows:

- 4 (1) two members in 2004;
- 5 (2) two members in 2005; and
- 6 (3) one member in 2006.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an
8 emergency measure, is necessary for the immediate preservation of the public health
9 or safety, has been passed by a ye and nay vote supported by three-fifths of all the
10 members elected to each of the two Houses of the General Assembly, and shall take
11 effect from the date it is enacted.